



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Denial of Verified Claim(s) against the City of Lodi

MEETING DATE: November 15, 2006

PREPARED BY: Deputy City Manager

RECOMMENDED ACTION: Deny the following verified Claim, by Council motion action, filed against the City of Lodi on October 3, 2006.

(A) Manuel Caldera

Date of Loss: August 2, 2006

BACKGROUND INFORMATION: Following review of verified claims filed against the City of Lodi, the City's contract administrator, DB Claims and City staff, recommend the City deny the subject claim. Although the cause of the accident was unsafe backing by a City of Lodi patrol officer in violation of 22106 California Vehicle Code (CVC), the City has specific immunity for damage caused while pursuing a potential crime suspect as referenced in CVC 17400, "*A public employee is not liable for civil damages on account of personal injury or death of any person or damage to property resulting from the operation, in the line of duty, of an authorized emergency vehicle while responding to an emergency call or when in the immediate pursuit of an actual or suspected violator to the law, or when responding to but not returning from a fire alarm or other emergency call*".

FISCAL IMPACT: N/A

FUNDING AVAILABLE: None Required

Jim Krueger, Deputy City Manager

Attachments

cc: City Attorney
DB Claims

APPROVED: _____
Blair King, City Manager